

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** Original  
**POSITION:** Oppose  
**SPONSOR:** Peace Officers Research Association of California

**BILL NUMBER:** SB 490  
**AUTHOR:** A. Maldonado

### **BILL SUMMARY:** Peace Officer Status: San Luis Obispo County

This bill would make custodial officers in San Luis Obispo County peace officers, as defined.

### **FISCAL SUMMARY**

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities if the Commission on State Mandates determines that the new program or higher level of service is reimbursable and a state mandate. While this bill would not create a new state-reimbursable mandate, it would increase the number of peace officers eligible for reimbursement under the existing Public Safety Officers Procedural Bill of Rights mandate, thereby resulting in increased General Fund costs to the state.

### **COMMENTS**

The Department of Finance is opposed to this bill because it would result in General Fund costs that are not included in the 2009-10 Budget by increasing the number of peace officers eligible for reimbursement under the Public Safety Officers Procedural Bill of Rights mandate.

Existing law authorizes all cities and counties to employ custodial officers for the purpose of maintaining order in local detention facilities. Unless specified, existing law provides that custodial officers are public officers who are not peace officers.

This bill would add San Luis Obispo County to the list of 27 counties that may extend peace officer status to custodial officers for the purpose of granting them authority to act as a peace officer outside a local detention facility. The bill specifies that the peace officer status is extended only while engaged in the performance of his or her employment, or when performing other law enforcement duties during a local state of emergency. As a peace officer, these individuals are granted all the rights and protections contained in the Public Safety Officers Procedural Bill of Rights.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2008-2009	FC	2009-2010	FC	2010-2011	Code
8885/Comm St Mndt	LA	No	-----	See Fiscal Summary					0001

Analyst/Principal (0230) A. Jarvis	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

**BILL ANALYSIS** Form DF-43 (Rev 03/95 Buff)